

BEFORE THE
CALIFORNIA STATE AUDITOR
BUREAU OF STATE AUDITS

In the matter of

Citizens Redistricting Commission (CRC)
Applicant Review Panel (ARP)

555 Capitol Mall, 5th Floor
Sacramento, CA 95814

WEDNESDAY, SEPTEMBER 22, 2010
9:30 A.M.

Reported by:
Tahsha Sanbrailo

APPEARANCES

Members Present

Nasir Ahmadi, Chair
Mary Camacho, Vice Chair
Kerri Spano, Panel Member

Staff Present

Stephanie Ramirez-Ridgeway, Counsel
Diane Hamel, Executive Secretary

Public

Jim Wright

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P R O C E E D I N G S

SEPTEMBER 22, 2010

9:30 A.M.

CHAIR AHMADI: Good morning, everyone. The hour being 9:30 and the quorum present, I now call the final meeting of the Applicant Review Panel on this 22nd day of September 2010 to order.

Secretary, could you please call the roll?

MS. HAMEL: Mr. Ahmadi - Here; Ms. Camacho - Here; Ms. Spano - Here.

ITEM 1. Approval of Minutes from August 6, 2010, Panel Meeting

CHAIR AHMADI: Thank you so much. The first item of business is approval of the Minutes from our August 6th, 2010 Meeting. Did you guys have a chance to look at those Minutes? Do you have any comments or questions about that?

VICE CHAIR CAMACHO: I looked at them and I have no comments or adjustments to them.

PANEL MEMBER SPANO: I looked at them and I think they accurately summarize what was discussed at our last meeting.

CHAIR AHMADI: Okay, thank you. I also had a chance to look at them, I reviewed them, and I found them to accurately reflect our actions of that meeting, so do we have any comments about that from the public? Seeing that there is no comments, I move that we adopt as final our

Minutes of the August 6th, 2010 - do we have a second?

VICE CHAIR CAMACHO: I second.

PANEL MEMBER SPANO: Second.

CHAIR AHMADI: Thank you. Any comments? No. All in favor, say "aye."

(Ayes.) All opposed? Seeing no opposition, the Minutes are adopted.

ITEM 2. Announcements

CHAIR AHMADI: The second item of business, just a quick announcement. Stephanie, did you have anything to add to the announcement? Or do you want me to -

MS. RAMIREZ-RIDGEWAY: I can jump in if you need me to.

CHAIR AHMADI: The one that I wanted to make sure that we cover is the fact that we have sent a notice to all our Applicants.

MS. RAMIREZ-RIDGEWAY: And I will discuss that in Counsel's Report. If you would like to take it now, that is fine.

CHAIR AHMADI: No, that is fine. I do not have anything else to announce.

MS. RAMIREZ-RIDGEWAY: Okay, we do have materials that were distributed to you, to assist you in your deliberations at the back of the room, as well as I believe - I cannot see them - two or three computers. So, those are

available to members of the public who wish to look up applicant materials in the process of this meeting.

CHAIR AHMADI: Okay, thank you so much.

ITEM 3. Staff Report - Steven B. Russo, Bureau of State Audits, Chief of Investigations - Report on the Bureau's activities in support of the panel, including forwarding application materials, confirming applicant eligibility, and gathering information concerning applicants

CHAIR AHMADI: The third item of business is a report from Steven Russo, the Bureau of State Audits Chief of Investigations, and I believe that Steven Russo is not in, for vacation, so, Stephanie, do you have anything to share on that with us?

MS. RAMIREZ-RIDGEWAY: Mr. Russo submitted a written report to you and that report has been distributed to you, as well as made available in the back of the room, and so it will be appended to the transcript and made part of the record. I don't know that it's necessary that I rehash it, I will simply summarize it, I will not read it verbatim.

Generally speaking, the report detailed the efforts that Mr. Russo directed on behalf of the Bureau of State Audits, investigating activities -- investigating applicants and their backgrounds and activities. And he's gone through sort of a four-step process where he talks about some of the

research methods that they used and lets the public know that he and his staff circled back with applicants to give them an opportunity to comment before reports were submitted to you. Those reports have been placed on the Internet for the public to see, and they were also distributed to you as they were finalized, and I think that is kind of a perfect opportunity for me to jump in and let you know that, as a final step, in terms of verifying the accuracy of those reports, we did send an e-mail to all applicants yesterday afternoon, giving them 24 hours to review those information reports about themselves, and correct any factual inaccuracies that are contained in those reports, if any. We specifically indicated that we did not wish to have additional information or a request to change the tone and tenor of those reports, but simply corrections for dates and times, names of organizations, that sort of thing. That e-mail went out yesterday afternoon. We gave them 24 hours, and so we expect that we will have all responses by 1:00 or 2:00 this afternoon, and so it is a last check with applicants to make sure that everything before you is as correct as it can be before you launch into your final decision-making process.

CHAIR AHMADI: Okay, thank you so much. And that also means that we will be making decisions after that deadline.

MS. RAMIREZ-RIDGEWAY: That would certainly be my recommendation, that I think you can review the reports that I will give to you today, but I think it would be wise to wait before making any final decisions, until after you have made sure that there isn't anything incorrect that forms the basis for those decisions, and I would therefore recommend that you save your deliberations on applicants until tomorrow.

CHAIR AHMADI: And I agree with that. Do you guys agree with that?

PANEL MEMBER SPANO: Yes.

VICE CHAIR CAMACHO: Yes.

ITEM 4. Panel Counsel's Report

CHAIR AHMADI: Thank you so much. So, with that, I think we are moving to our fourth item of business, which is a Panel Counsel's Report. Stephanie, would you please take the podium?

MS. RAMIREZ-RIDGEWAY: Sure. And I have already covered a bit of what I had intended to discuss with you today. I wanted to let you know that we have some reports that will be distributed to you now, that reveal some information about some of the tentative decisions that you have made thus far, based upon all of the applicant materials and applicant interviews and public comments, and everything else that has come before you, all of which is

available publicly on the Internet.

You have for each party a list of the individuals who received, thus far, three favorable recommendations from you; you then have a list of the remaining applicants for that party who are still in the pool, and you will note that that includes even some individuals who have requested to withdraw, because a request to withdraw doesn't equate with having been eliminated from the pool; so, I assume that you won't be considering those individuals, but that at some point you will move to eliminate them. You also have a cumulative report that discusses the demographic information of those who have received three favorable recommendations, thus far, and, finally, for each party you have a worksheet that lists for you the names and demographic information of those applicants in a particular sub pool who have received, as of now, three favorable recommendations from you, but it permits you to add names as you go through the process, just as we did last time. So, there is a report for Republicans, there is a report for Others, those who are not affiliated with either Democrats or Republicans, and also a report for Democrats, and those have been provided to assist you in your deliberations today.

ITEM 5. Public Comment about Applicants

CHAIR AHMADI: Okay, thank you so much. And before we move on, I think it is time for public comments about our

applicants, which is our Item 5. So, the panel is looking forward to hearing from you, from our distinguished member of the public.

MR. WRIGHT: Good morning, Jim Wright, a voter from San Jose. Two things for you this morning. Ms. Camacho, I sent in the letter detailing how I went about making my decision, my recommendation, or my opinion of several of the applicants last time. I hope you had seen it; if not, I have an additional copy here for you if you wish. Did that help to answer the question?

VICE CHAIR CAMACHO: Yes.

MR. WRIGHT: Okay, thank you.

VICE CHAIR CAMACHO: Thank you.

MR. WRIGHT: It is posted on the Internet, by the way. I also sent in another letter and I don't know that any of you have seen it, it is not posted on the Internet, and why I've created this is to help put together the pieces of information that I have heard throughout these interviews about what makes a good Commissioner. And it turns out there are several things that it came to the top: A great candidate for the California Citizens Redistricting Commission will know and be able to explain the principle features of the Voters FIRST Act; will be forthright and committed to spending as much time and effort as needed to complete the Commission's business to the best of their

ability; may have a known bias or two, but is very convincing about their ability to set those aside while conducting Commission business; may have a personal or familial, or other possible conflict of interest that, on close inspection, does not compromise their ability to serve on the Commission; will be eager to discard and disassociate themselves from Boards, Commissions, or other organizations where they have been appointed or served so as to remove any appearance of a conflicting loyalty; knows that using the 2010 Census data in California geographic and geopolitical information is paramount when starting the mapping process during 2011; has a clear understanding of the concept of Communities of Interest and is prepared to seek additional information from the citizens of California to use in producing, as near as possible, truly representative Districts; is clear in their understanding of the role of the Counsel to the Commission and the application of existing law directing certain requirements of their work; the applicant recognizes the importance of the Federal Voting Rights Act, portions of the California Code relative to voting, and will apply the laws as they exist, rather than avoid or seek to change them; understands the basic requirements of the Bagley-Keene Open Meeting Act, and fully comprehends how it will shape their behavior as a Commissioner -- a little training might be required for some

people on that one; knows what diversity means and is committed to actions which support, rather than avoid or destroy diversity through their decisions; a Commissioner will be thoughtful, organized, deliberate, and clear in their responses to questions; can speak extemporaneously with organized thoughts in a public setting, while explaining complex issues or questioning the public; writes in a clear and well organized manner; and has demonstrated the ability to work collaboratively with the others, diffuse conflict; plan and schedule to a defined goal; achieve clear decisions; and play well with others in the community sandbox. In my opinion, these are the qualities that make a good Commissioner. I would hope that you have taken them into account as you are making your recommendations. Any questions?

CHAIR AHMADI: No. Thank you so much.

MR. WRIGHT: Thank you.

CHAIR AHMADI: We appreciate it. Do we have any other public comments about our applicants? Seeing that we don't have any other public comments, I think it is time for us to recess and, as Stephanie alluded, we have sent a request to all our Applicants asking them to review their application material and let us know that the information in their packages, in their application packet or material, is factually accurate. So, for that reason, we will not be

making any decisions until tonight. So, with that -

MS. RAMIREZ-RIDGEWAY: Mr. Ahmadi, can I just jump in? It looks like we have some folks who I know may have traveled. I think it is the Panel's expectation that they will be recessing until tomorrow morning. If you would like to comment on applicants before tomorrow's meeting, now is the time to do so, especially if you think you may not be able to return. I just wanted to let you know before we actually recess that now might be a good time if you've come a long distance.

CHAIR AHMADI: Yes, thank you, Stephanie.

MS. RAMIREZ-RIDGEWAY: It doesn't look like we have any.

CHAIR AHMADI: No. So, with that, we are going to be on recess until 9:30 tomorrow morning. Thank you.

[Adjourned at 9:43 A.M.]